



**THE STATE BAR OF CALIFORNIA**  
**Member Services Center**  
 180 Howard Street • San Francisco, CA 94105-1617  
 (888) 800-3400 • [msc@calbar.ca.gov](mailto:msc@calbar.ca.gov)

FOR OFFICIAL STATE BAR USE ONLY

Amt Rcvd \$ \_\_\_\_\_  
 Check # \_\_\_\_\_  
 --- No Check Rcvd  
 --- Over 70  
 Initials: \_\_\_\_\_

## Application for Transfer to Inactive Membership Status

**NOTE: Only ACTIVE members may transfer to INACTIVE status**

Effective date of INACTIVE status will automatically be the date this form is received by the State Bar, unless a later date is indicated here:

Member Number: \_\_\_\_\_



Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

(MM/DD/YYYY)

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Please log on to [My State Bar Profile](http://www.calbar.ca.gov), which is also accessible on the State Bar's website: [www.calbar.ca.gov](http://www.calbar.ca.gov), to verify your address and update if necessary.

The 2016 Inactive fee is \$155. To qualify for the Inactive fee, your completed form must be submitted and effective no later than February 1, 2016. Include your \$155 payment with this form to avoid late payment penalties. Please review the pertinent sections of the State Bar Act listed below and the Instructions provided.

### Pertinent Sections of The State Bar Act

- "Section 6004. Every member of the State Bar is an active member until...at his request, he is enrolled as an inactive member."
- "Section 6005. Inactive members are those members who have requested that they be enrolled as inactive members..."
- "Section 6006. Active members who retire from practice shall be enrolled as inactive members at their request..."
- "Section 6125. No person shall practice law in California unless the person is an active member of the State Bar."
- "Section 6126. Any person advertising or holding himself or herself out as practicing or entitled to practice law or otherwise practicing law who is not an active member of the State Bar, is guilty of a misdemeanor..."
- "Section 6127. The following acts or omissions in respect to the practice of law are contempts of the authority of the courts:
- (a) Assuming to be an officer or attorney of a court and acting as such, without authority.
  - (b) Advertising or holding oneself out as practicing or as entitled to practice law or otherwise practicing law in any court, without being an active member of the State Bar..."

### Pertinent Sections of The Rules of the State Bar of California, Title Two, Rights and Responsibilities of Members.

#### Rule 2.30 Inactive membership

- (A) Any member not under suspension, who does not engage in any of the activities listed in (B) in California, may, upon written request, be enrolled as an inactive member. The Secretary may, in any case in which to do otherwise would work an injustice, and subject to any directions which may be given by the board permit retroactive enrollment of inactive members.
- (B) No member practicing law, or occupying a position in the employ of or rendering any legal service for an active member, or occupying a position wherein he or she is called upon in any capacity to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law, shall be enrolled as an inactive member.
- (C) Notwithstanding (A) and (B) a member serving for a court or any other governmental agency as a referee, hearing officer, court commissioner, temporary judge, arbitrator, mediator or in another similar capacity is eligible for enrollment as an inactive member if he or she does not otherwise engage in any of the activities listed in (B) or hold himself or herself out as being entitled to practice law.

**I declare under penalty of perjury under the laws of the State of California that I have reviewed the Rules of the State Bar of California and I am eligible to enroll as an INACTIVE member of the State Bar of California. I agree to comply with the State Bar Act and the Rules of the State Bar of California.**

Member Signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

(MM/DD/YYYY)

### Mail Completed Form and Payment to:

The State Bar of California  
 Membership Records-Inactive Enrollment  
 180 Howard Street  
 San Francisco, CA 94105-1617

**Reminder: Form and payment must be submitted no later than Feb. 1, 2016, to be eligible for the inactive rate and avoid late payment penalties.**

# Application for Transfer to Inactive Membership Status Instructions

## Effective Date of INACTIVE status

The effective date of your inactive status will be the date that your request is received by the State Bar, or a future date if so indicated. **You may not transfer retroactively to inactive status.**

**To qualify for the inactive membership fee, you must formally transfer to inactive status by submitting this completed form no later than Feb 1, 2016.** Inactive membership is maintained by payment of an annual inactive membership fee. If you practice law or perform any other service described on the inactive application (*Rules of the State Bar Title Two, Rule 2.30*), you must remain on active status and pay the active fee.

Applications for Transfer to Inactive Membership Status must be submitted and effective no later than Feb 1, 2016, to be eligible for the inactive membership rate for 2016. A change to inactive status after Feb 1, 2016, is permissible; however the member must pay annual fees at the active rate, and is not entitled to a refund because of the change to inactive status.

## Inactive Status Information

Please review this inactive information carefully. If you qualify, complete and **sign** the application form. When considering Transfer to inactive status, please be advised that transferring from active to inactive status may have significant consequences. For example, transferring to inactive status:

- precludes a member from practicing law in California, or occupying a position in the employment of or rendering any legal service for an active member, or occupying a position wherein he or she is called upon to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law. (Rules of the State Bar, Title 2, Rule 2.30)
- may affect a member's qualifications for **appointment to judicial office** – for further information please contact the jurisdiction(s) directly.
- may affect a member's qualifications for **admission to practice law in other jurisdictions** – for further information please contact the jurisdiction(s) directly.
- *does not affect a member's status or payment obligations as a certified legal specialist unless you resign permanently from that program using the form located at [www.californiaspecialist.org](http://www.californiaspecialist.org).*
- may affect a member's eligibility to participate in the [Pro-Bono Practice Program](#). Please review rule 3.327.
- precludes a member from voting in any election or plebiscite conducted by the State Bar.
- precludes a member from engaging in certain activities in California including, but not limited to, working as a private arbitrator, mediator, referee or other dispute resolution provider, a law clerk, paralegal, real estate broker or CPA. This is based on the presumption that these activities call upon a member to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law.

Inactive members do, however, retain certain rights and benefits of active members, including:

- ability to enroll in State Bar sections, attend meetings of the State Bar, and be appointed by the Board of Trustees to various committees.
- eligibility to apply for and participate in the State Bar approved life, accidental death and dismemberment, and disability income insurance programs.
- receipt of the State Bar membership card and monthly editions of the California Bar Journal.
- eligibility, if not under suspension, to transfer back to active status (not retroactively), at any time upon written request and payment of the difference between the active and inactive fee for the current year.

While on inactive status, you are still subject to the disciplinary authority of the State Bar of California.

Should you determine to apply for transfer from active to inactive status, please be advised that the use of "Attorney-at-Law" on stationery, envelopes or check stock after becoming an inactive member could be considered as advertising or holding out that you are practicing or entitled to practice law, which is prohibited by Sections 6126 and 6127 of the State Bar Act.

2016 fees will be waived for members who are **both** on inactive status **and** are 70 years old by February 1, 2016.

**PLEASE NOTE: YOUR MEMBERSHIP WILL REMAIN ON ACTIVE STATUS UNTIL YOUR COMPLETED AND SIGNED APPLICATION IS RECEIVED.**

Phone: (888) 800-3400

Fax: (415) 538-2576

Mailing Address: The State Bar of California  
Membership Records-Inactive Enrollment  
180 Howard Street  
San Francisco, CA 94105